AUTOMOTIVE SECTION

LEGAL POINTS ON GARAGE INSURANCE

OMOBILE OWNER

Important Decision Covering Insurance on Garages and Other Recent Cases.

By OUR LEGAL CORRESPONDENT. The development of the law relating to atomobiles has been as phenomenal as the development of the automobile industry it.

mif. Text books, statutes and court de-cisions that owe their existence to this comparatively new field of industry, and deal exclusively with it, represent the equivalent of many hundreds of volumes and actually amount to many hundreds of thousands of pages of printed material.

That practically everybody is very deeply That practically everybody is very deeply affected by this new and ever growing field of law is a proposition that probably looks like a journalistic exaggeration (if there is such a suphemistic modification of the truth), but as will be seen from the series of articles which will appear in Saturday's Automotive Section of The Times each week, and of which this is the eighth, the statement made will bear the severest test. In this series it is proposed to get the "meat" out of the law relating to automobiles and to present it in such a form. me of automobiles in the variegated com-

Bender & Co. of a new edition of a this defense, legal textbook on automobile law ("Huddy on the Law of Automo- sured must obtain a "rider" from the

plications of our daily existence

the first American textbook on the ence of gasoline. subject, it has now reached a sixth It will be observed that the violaedition, so rapid and kaleidoscopic tion of the policy in the case in quesments on the legal side of the auto- the court held it to be fatal. Of mobile industry. The new edition course, if the policy had described contains nearly thirteen hundred the building as a garage the court pages, and as authority for its text might have held that the company eftes no less than 3,500 decisions of was bound to know that such use of the highest courts of the various a building involved the presence of States and of the Federal courts.

hicles figured has reached beyond the bly have their policies indorsed so hundred thousand mark.

Fallacy Disproved.

A number of recent cases point to the fallacy of the popular idea that fire apparatus and other official motor apparatus may be driven through the streets in total disregard of the usual precautions necessitated by local conditions.

In one of such cases it is held that a superintendent of a fire department store and residence. is personally liable in damages to a pedestrian who is injured by an automobile of the fire department which was being driven at an excessive rate of speed by a fireman, the superintendent being in the car at the time.

Under such circumstances the superintendent is held to be a party to driver's negligence, notwithstanding the fact that at the time of the accident the car was being operated on official and urgent business.

Insurance Validity.

Motorists who keep their cars on

tained several gallons of gasoline. One night when the car was not in indicated in the rule. the barn the building was destroyed The trite proposition that the law by fire, and when claim was made on is a yardstick by which all human the insurance policy the company reachievement and progress may be fused to pay the loss on the ground of clear. As the automobile passed unthe violation of the prohibition re- der the gates, they were lowered, measured is interestingly emphasized lating to the keeping of gasoline on by the recent publication by Matthew the premises. The court sustained

To avoid such consequences the ininsurance company permitting the use of the building for "live" automo-First published in 1906, when it was bile storage, with the incidental pres-

gasoline, but even in such a case It is estimated that since 1896, there is room for contention, in the The latter car, to enter a private

as to show specifically the requisite knowledge and permission of the insurance company as to the presence of gasoline.

Limitation on Rule.

A limitation on the rule applied in the preceding case is illustrated in a recent case decided by the supreme court of Kentucky. In this case the insurance policy covered a building which was described as a grocery

The building was destroyed by fire and the insurance company refused to pay the loss on the ground that at the time of the fire the insured had several quarts of gasoline on the premises which he had intended using for cleaning an automobile and vulcanizing some tires, but the presence of the gasoline was not shown to have been the cause of the fire.

In deciding that the insurance company must pay the loss, the court ruled that the prohibition against ses must be interpreted to mean the habitual keeping of gasoline.

"Stop, Look, and Listen."

In a recent article in this series attention was called to the "Stop, Look, and Listen" rule applicable to perof a steam railroad at a public crossmobiles and to present it in such a form that it will interest, instruct and help that it appeared that such a policy was unations which arise from time to time out obtained on a barn in which the obtained on a barn in which the ownership, use, sale, purchase, manufacture, repair or storage of automobiles, or from the conditions due to the general tained several gallons of gasoline. obtained on a barn in which the decision of the court of appeals of ing without taking the precautions

> There were safety gates at crossing, and as these were not down striking the driver and rendering him unconscious. The machine proceeded over the tracks and was struck by a locomotive.

The court held that under all the circumstances the accident could not! have happened if the driver had stopped, looked and listened before he proceeded to cross the tracks, and that, therefore, no damages could be have been the changes and develor- tion was not the cause of the fire, yet | recovered for his death or for the destruction of the machine,

Answers to Questions.

Q.-B. F. D.-On a public road my car was proceeding east, while an- disclose. Upon whose part was it? other car approached from the west. number of cases in which such ve- and property owners should invaria- doing so was driven into the side of of The Washington Times.

THE WOMAN IN THE FADS AND FANCIES MOTORIST

keeping gasoline on the insured prem- JULIA SANDERSON ON MOTORING., though the Western roads are very

so little energy." That is the substance of what Julia trees. Sanderson replied to the question "Do you like motoring?" recently asked her while on tour with "The Canary," in which she and Joseph Cawthorn are starred.

"I should like to motor now a lot more than I do,' she continued, "but don't have time, and, besides,

my car, seriously damaging it. Have a claim for damages? Ans .- The law does not require you

to assume that such a crossing might be made, and to take special precautions in anticipation of it. Upon the negligent in failing to keep a watch on the road ahead of you so as to be in position to heed such a warning, or in driving at such a speed that you were unable to control your car when the situation was disclosed to you, it is obvious that the other driver was negligent in some particular. In this event you would be entitled to recover the amount of your damages. Assuming that there were no obstructions to your view, there must have been some decisive act of negligence which your question does not

If you are in doubt about any legal

"In a few centuries, when I am an beautiful, with their rugged, imposold woman, I am going to devote a lot ing mountains and great untamed of time to motoring, for it is such plains, I miss the sweeping, curving, a fascinating diversion, and it takes graceful highways of the East. I miss the tobacco fields and the pine

> "To me there is something very beautiful in the dense, low-growing foliage of the trees that line the Eastern roads. It seems to be softer and greener than any seen farther Westand the birds perching on it seem tamer and sing sweeter.

Motored Several Times a Week. "Last spring and summer, when I

was playing at the Globe Theater in 'The Canary,' I used to motor two and three times a week out through New Rochelle, Rye, Greenwich, Stamford, New Haven and Hartford, to Springdriver of the other car rested the field, Mass. At Long Meadow, a subobligation of giving you due warn- urb of Springfield, I am building ing of his purpose. Unless you were house that mother and Brad (Brad is Miss Sanderson's very favorite dog) and I are going to spend the rest of our vacations in.

"We would start early in the morns ing most of the times and motor straight through, just stopping at some wayside tea house for lunchsuch delicious, cooling lunchcons they were during the warm summer months. But other times we would take two days, and those were the drives I loved best.

"It is fun to drive lazily around to the quaint old New England towns of Massachusetts and Connecticut. Then there is Yale, at New Haven, when the first case relating to auto- light of the very technical attitude of driveway on the south side of the points relating to automobiles, write mosphere' that envelops the whole rect path of the car. I promptly pick- always prove of interest to Amerimobiles came before the courts, the the courts in dealing with such cases, public road, crossed the road, and in to L. J. Faulkner, Automotive Editor town. It has an old and established ed them up and, Oh, Boy! how we encans with red blood in their veins, number of cases in which such ve- and property owners should invaria- doing so was driven into the side of of The Washington Times. air that makes one feel the great joyed our rabbit dinner."

rush of life is really sort of useless "Motoring really makes one think,

too, for the body is so relaxed and at rest that the mind becomes unusually active. I used to leave New York with all sorts of perplexing problems to solve, and by the time got to the house-in a few months shall be able to say 'home,' for it nearly all finished-I would find that all the disagreeable quirks in my mind had straightened themselves

Likes It, in All Kinds of Weather. "I like motoring in all sorts of

the lights of passing cars shining dew; in the spring, when the trees are budding: in the summer, when they are in full verdure, and in the fall, when the woods are a riot of the maximum of pleasure with the minimum of effort.

"However." and here Miss Sanderson's eves shone like stars, and her am going to take after the first snow over the page this way? Or don't you hurry to my house, when it is all like em at all? Anywaay, read these complete, even to the shutters on the before you answer.

"But, Miss Sanderson," came an interruption, "that isn't a motor trip, system or her cars will bump. There lent examples of good roads, which that is the end of one." that is one of the nicest things about sixteen people. At the present rate able to compete with the railroads a motor trip. Motoring makes it possible for one to get away from the years the entire population of the "This is only another example of everyday routine life and shut the United States could go riding at the the benefit of good roads. If the me door on the world. That is one of the big reasons I love it so."
—The Maryland Motorist.

HEADLIGHT CHARMS RABBIT. Recounting his experience with his

tells the following: "It was in July this year. My wife and I were in Canada. Traveling one morning at 2 o'clock on the road between Ridgetown and London, the glare from the headlights blinded two

FIGURES SHOW GROWTH

Only 48,000 Cars in U. S. in 1906 Paying License Revenue of \$193,000.

(C. H. CLAUDY to Motor Life.) . Digging up some old statistics from forgotten dred. census reports one can ascertain that weather in the rain at night, with in 1906 there were some 48,000 care AUTOS COMPETITORS a license revenue of about \$193,000, or about the same amount which the ways glisten; in the early morning. District of Columbia paid in 1918. In when the sun is just drying off the that hazily seen infancy of the motor car industry, something less than three-tenths of 1 per cent of the total rural road and bridge expenditures were represented by the fee paid by motor cars. In 1918, 21 per cent of colors. Motoring to me is getting our total road and bridge expenditures was collected as revenue from motor car owners who paid for little tin tags designed to let the policeman know who you are when you shatter irresistible, captivating smile curled the speed limit, run over the old apple up the corners of her mouth and dim- woman on the corner or transport pled her cheeks "the motor trip I illicit liquids from one dry latitude am looking forward to above all into another equally dry longitude. which will be better than any one I Say, do you like statistics? Do yo

have ever experience I is the one I like 'em in columns or spread out waukee Northern Electric Company windows. I shall drive up some night two and a half cars for every mile to increase its fast express rates by when the moon is shining on the of road in the United States. But not snow, and the stars are twinkling and in each and all of the States. Nevada the motor trucks running between the lights are filtering through those has two cars for every three miles of Milwaukee and Port Washington, same shutters to the door of my very road, while little Rhody has sixteen "I understand that the higher cars for every mile of road. Pretty soon she's got to have a semaphore is one whole motor car (flivvers are, "I know," she answered, "but to me statistically, motor cars) for every motor trucks plying over them are of getting cars in about two or three low rates as well as in time schedule same time. . . and, as that would tor truck is given a square deal, and include all the crossing cops and all by a square deal I mean a right of the bicycle and motorcycle policemen, way of good roads, a driver the wouldn't it be a grand and glorious feeling? Already California and Nebraska have a car for every seven Recounting his experience with his people. Ain't any car but what can Ford car, George Ambler, Detroit, hold seven if they sardine in prop-

Say, honest, do you like statistics?

BOY SCOUTS ON TOUR.

Boy Scouts and the splendid outand the indescribable 'university at | fat rabbits, who remained in the di- door life and training they represent **AUTOMOTIVE** SECTION

forms are always the center of at traction when they co-operate with civic authorities in drives and parades. Men and women recognize OF MOTOR INDUSTRY parades. Men and women on the the effect of scout training on the health and character of boys.

As evidence of the country-wide interest, a recent exhibition of the film, "Men in the Making," showing the glorious trip from Akron to Portland, Me., in a Goodyear equipped truck train, was given at the excis sive Hamilton Club in Chicago for ten days and was viewed with intense interest by Chicago's "Four Hun

OF ELECTRIC ROADS

Company Asks Permission to Ro Freight Rates to Stay in Race.

"Evidence that the motor truck is serious competitor of the electri raflway in dependable and economica haulage of freight and merchandise." says G. C. Frey, of the Kissel Motor Car Company, "was again evidence Say, do you like statistics? Do you recently, when, I understand, the Milapplied to the railroad commissioner There are at Madison, Wisconsin, for authority

> between these two points are exif a fact, is one expidnation "This is only another example o knows how to handle his truck. truck that is built of quality ma terials on the right principles an loaded the way it should be loaded both as to capacity and division . weight over the entire truck, you will find that the motor truck is the moseconomical, dependable and adapteable transportation unit in the cour

"I understand that the highway

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try today.

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